

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xiang et al.
Title: SHALLOW TRENCH ISOLATION PROCESS AND STRUCTURE WITH
MINIMIZED STRAINED SILICON CONSUMPTION
Appl. No.: 10/755,602
Filing Date: 01/12/2004
Examiner: Jack S. J. Chen
Art Unit: 2813
Conf. No.: 9549

ISSUE FEE TRANSMITTAL

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith please find Issue Fee Transmittal Form PTOL-85(B).

Also enclosed:

- [X] Amendment Under 37 CFR 1.312 (4 pages)
- [X] Communication Regarding Patent Term Adjustment (1 page)
- [X] Fee Address Indication Form (1 page)

Fees in the amount of \$1,740.00 for payment of the Issue Fee and the Publication Fee are being paid by credit card via EFS-Web.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

The Examiner stated the following:

The prior art of record neither teach nor make obvious the claimed limitation of the instant application as a whole as recited in claims 25 and 33, respectively. In particular, the prior art does not teach

or suggest the particular subset of the process steps for forming IC by providing a strained semiconductor material above the germanium-containing layer and on sidewalls of the trenches and providing insulative material in the trenches to form trench isolation regions.

While the Applicants agree that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the Applicants note that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

REMARKS

These Comments on Statement of Reasons for Allowance under 37 C.F.R. § 1.104 are intended to be responsive to the Notice of Allowance dated March 25, 2008.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: June 18, 2008

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